



MINUTES OF THE GREEN BAY PLAN COMMISSION

MONDAY, AUGUST 31, 2020, 6:00 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. ROLL CALL.

I. Members: Lisa Hanson - Chair, Vacant – Vice-Chair, Ald. Veronica Corpus-Dax, Sidney Bremer, Jacob Miller, Randall Petrouske and Derius Daniels

Present: Derius Daniels, Lisa Hanson, Ald. Veronica Corpus-Dax, Randall Petrouske, Jacob Miller, Sidney Bremer, Excused:

OthersPresent: Ald. Barb Dorff; Ald. Lynn Gerlach

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the August 31, 2020, meeting of the Green Bay Plan Commission.

Moved by Sidney Bremer, seconded by Jacob Miller to approve the agenda. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the August 10, 2020, meeting of the Green Bay Plan Commission.

Moved by Ald. Veronica Corpus-Dax, seconded by Sidney Bremer to approve the minutes. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

E. REGULAR BUSINESS.

I. Election of Vice Chair for the Green Bay Plan Commission due to a vacancy.

A nomination was made by Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to elect Jake Miller as Vice-Chair of the Green Bay Plan Commission.

Chair Lisa Hanson asked three times if there were any other nominations, hearing none, motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

2. (CPA 20-01) Public Hearing on the request to amend the Comprehensive Plan for the property located at 215 Elizabeth Street from Medium Density Retail, Office or Housing (MIROH) to Commercial (C) (Figure 22-5), submitted by Steve Bieda, Mau & Associates, on behalf of Mirhashemi, Inc., property owner (Ald. C. Stevens, District 5).

Chair Lisa Hanson read into record the rules and procedures for the public hearings. All public hearings have been properly posted.

Chair Lisa Hanson opened the floor for the public hearing to amend the Comprehensive Plan for the property located at 215 Elizabeth Street from Medium Density Retail, Office or Housing (MIROH) to Commercial (C).

Chair Lisa Hanson then asked three (3) times if there was anyone else present who wished to speak. Hearing/seeing no one, the public hearing was closed.

3. (CPA 20-01) Consideration and possible action on the request to amend the Comprehensive Plan for the property located at 215 Elizabeth Street from Medium Density Retail, Office or Housing (MIROH) to Commercial (C) (Figure 22-5), submitted by Steve Bieda, Mau & Associates, on behalf of Mirhashemi, Inc., property owner (Ald. C. Stevens, District 5).

Moved by Ald. Veronica Corpus-Dax, seconded by Randall Petrouske to Open the Floor. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

Moved by Sidney Bremer, seconded by Randall Petrouske to close the floor for discussion. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

Moved by Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to reopen the floor for discussion. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

Moved by Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to close the floor for discussion. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

Moved by Sidney Bremer, seconded by Jake Miller to deny the request to amend the Comprehensive Plan for the property located at 215 Elizabeth Street from Medium Density Retail, Office or Housing (MIROH) to Commercial (C). Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

4. (ZP 20-22) Public Hearing on the request to rezone 1748 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by Steve Bieda, Mau & Associates, on behalf of Marjorie Charlier, property owner (Ald. L. Gerlach, District 3).

Chair Lisa Hanson opened the floor for the public hearing to rezone 1748 Main Street from General Commercial (C1) to Highway Commercial (C2).

Chair Lisa Hanson then asked three (3) times if there was anyone else present who wished to speak. Hearing/seeing no one, the public hearing was closed.

5. (ZP 20-22) Consideration with possible action on the request to rezone 1748 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by Steve Bieda, Mau & Associates, on behalf of Marjorie Charlier, property owner (Ald. L. Gerlach, District 3).

Moved by Commissioner Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to approve the request to rezone 1748 Main Street from General Commercial (C1) to Highway Commercial (C2). Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

6. (ZP 20-23) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for Material Recovery Facility & Auto Salvage Operation at 1156 Velp Avenue, submitted by Burrows Midwest, LLC/dba Midwest Scrap Metal, property owner (Ald. R. Scannell, District 7).

Chair Lisa Hanson opened the floor for the public hearing to authorize a Conditional Use Permit (CUP) for Material Recovery Facility & Auto Salvage Operation at 1156 Velp Avenue.

Chair Lisa Hanson then asked three (3) times if there was anyone else present who wished to speak. Hearing/seeing no one, the public hearing was closed.

7. (ZP 20-23) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for Material Recovery Facility & Automobile Salvage Operation, at 1156 Velp Avenue, submitted by Burrows Midwest, LLC/dba Midwest Scrap Metal, property owner (Ald. R. Scannell, District 7).

Moved by Ald. Veronica Corpus-Dax, seconded by Jacob Miller to Open the Floor. Motion carried. Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

Moved by Ald. Veronica Corpus-Dax, seconded by Sidney Bremer to Close the Floor for discussion. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

Moved by Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to postpone the request to authorize a Conditional Use Permit (CUP) for Material Recovery Facility & Automobile Salvage Operation at 1156 Velp Avenue until the next scheduled Plan Commission meeting to gather additional information for clarification of the request. Motion carried.

Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None

F. INFORMATIONAL.

1. Director's Report.

Interim Director Cheryl Renier-Wigg presented the Director's Report.

2. Date of next meeting: Monday, September 28, 2020.

G. ADJOURNMENT.

Moved by Ald. Veronica Corpus-Dax, seconded by Sidney Bremer to adjourn. Motion carried.
Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Veronica Corpus-Dax, Derius
Daniels, No- None, Abstain- None

VERBATIM MINUTES

- Okay, well, we'll go ahead and get started. Welcome the Monday August 31st meeting of the Green Bay Plan Commission, virtual meeting via Zoom. We've got some technical difficulties. We'll start with roll call. Chair Lisa Hanson present. Vice-Chair position is currently vacant. Alder Veronica Corpus-Dax

- [Veronica] Present.

- Commissioner Bremer.

- Present.

- Commissioner Miller.

- Present.

- Commissioner Petrouske. It seems he is absent at the time. And commissioner.

- Present.

- Okay, all right. I just need approval of the agenda for the August 31st, 2020 meeting of the Green Bay Plan Commission.

- I move approval.

- So, motion by commissioner Bremer, is there a second?

- [Jake] Second.

- [Veronica] Second.

- That is second by commissioner Miller. Any further discussion? Do we need a roll call vote on this?

- I don't think so, Lisa. I've just asked whether there were any objections for this and for the approval of the minutes.

- [Lisa] Okay, perfect.

- [Jessica] Yeah, police roll will be just fine tonight.

- So, okay, so all in favor, say aye.

- [Jessica] Aye.

- [Jake] Aye.

- Any opposed? Okay, and that is passed. Then going on to the approval of the minutes. Approval of the minutes from the July. Nope, that was sorry. picks up, approval of the minutes from the August 10th, 2020 meeting of the Green Bay Plan Commission.

- [Veronica] So moved.

- [Sidney] Second.

- So, motion by Alder Corpus-Dax and a second by commissioner Bremer, any objections? All in favor?

- Aye.

- [Jake] Aye.

- [D]] Aye.

- Any opposed? All right, and then moving on to regular business. And the first piece of business is election of Vice-Chair for the Green Bay Plan Commission due to a vacancy. So, do we have a nomination for Vice-Chair? This is Sid Bremer, I'd like to nominate Jake Miller.

- [Veronica] Second.

- Okay, so a motion by commissioner Bremen, a second by Alder Corpus-Dax. Are there any other nominations? Are there any other nominations? Are there any other nominations? Okay, so with this one, do we wanna do a roll call vote?

- [Jessica] That would be correct.

- Okay, all right, so on the nomination of Jacob Miller to Vice-Chair, Alder Corpus-Dax.

- [Veronica] Aye.

- Commissioner Bremer. Commissioner Miller.

- Aye.

- Commissioner, was Randy able to join us?

- I'm here.

- Oh, Commissioner Petrouske?

- Aye.

- And Commissioner Daniels.

- Aye.

- And I will also vote aye. So, congratulations. You are now the Vice-Chair of the Planning Commission. All right, so now I need to write that. All right, okay. So onto the next item of business is a public hearing on the request to amend the comprehensive plan for the property located at 215 Elizabeth Street from medium density retail, office or housing to commercial, submitted by Steve Bieda, Mau and Associates on behalf of Mirhashemi Incorporated, property owner. And I do wanna state that this public hearing has been properly posted and public notification has been published in the Green Bay Press Gazette. The Plan Commission is interested in hearing public comments on the subject agenda items. We invite your comments and ask that, after your name has been called, you state your address, whether you represent a group or association, whether you favor, oppose or are only providing information in this matter, and your comments or concerns. We also ask that you confine your testimony to facts related to the proposal at hand and avoid repetitive testimony. You must be recognized by the Plan Commission in order to speak, and please address your comments to the Chair. And we will now open the public hearing on the agenda item I just read. But first, we're gonna have a staff go through and kinda give a brief overview of what that agenda item is.

- Sure, thank you, Madam Chair. All right, is that better? Are we getting feedback? How's that, oh, no? Sorry, I'm just having feedback issues.

- Yeah. You might wanna mute either yours or Madison's.

- [Paul] Yeah, how's that?

- They might be feeding off of each other.

- [Paul] Yeah, is that better? Can you hear me?

- [David] Yes.

- [Paul] Okay, I'm sorry about that. We're still working through our technology. Thank you, Madam Chair. This is a request for a comprehensive plan amendment. It involves two parcels that are on the Northwest corner of Main Street and Elizabeth. You can kinda see on the graphic here, here's Main Street and Elizabeth. The property is highlighted in red, The current comprehensive plan recommends medium intensity retail, office or housing. The proposal is to go to commercial zoning. So, that is the reason for the comprehensive plan amendment. Here is the current zoning of the area. There is an existing highway commercial zoning or C2 on the immediate Northwest corner. And there is C1 property to the North. The proposal here is to amend the comprehensive plan to commercial and then to rezone to a highway commercial, the same zoning that's here to expand a car lot, a used car sales. So, this site currently on a immediate corner here has been approved for used car sales, and the hope would be to expand that to the North. So with that said, I'll turn that back to the Chair.

- Okay, so what we're looking for is we're talking, well, who are first in favor of the proposal? So, is there anyone wishing to speak in favor of this proposal? Is there anyone wishing to speak in opposition to this proposal? And is there anyone wishing to provide information only on this proposal?

- There is one who'd like to speak that I saw.

- [Madison] Emily, it looks like you raised your hand.

- Yes, thank you.

- So, if you could just please give your address and whether you represented a group or association.

- Sure, my address is 1569 Proper Street, P-R-O-P-E-R, Green Bay, 54302. And I do not represent any group or organization. I am a neighbor that lives on the street that is one of the boundaries of that property. So, I wanted to express my concerns as well as some of my neighbors' concerns. I know one of my neighbors was going to send an email with his concerns. When this topic came up about a year and a half or two years ago, we had a meeting with a larger group of residents, and some of the concerns were the amount of traffic that this is gonna bring to the area. It's already a very busy intersection. The light pollution, they're very concerned with. We currently have issues with light pollution in the area that needs to be addressed, and putting in a car lot all the way up to the backyards of some of the residents is going to cause even more light pollution in the neighborhood. I'm opposed to this because the person that's requesting this has not been a good neighbor with a vacant lot for the last, however many years this lot has been owned by this person. I have sent multiple requests to the city for inspection issues for this parking lot that's been left vacant, and broken glass, garbage, overflowing garbage bin. The gentleman that owns the property had assured us two years ago that he was gonna take care of the property. And he has not, even after he resurfaced the corner lot that was approved for the car lot. That lot constantly has abandoned cars in it, broken glass. I think they use the parking lot for parking at a nightclub that's on Main Street and there's always garbage in the parking lot. People leave their cars there for weekend. There are currently, I think there's a trailer parked on the lot that's for sale, unkept cars. This lot has been an inspection issue ongoing, I know if he puts a lot there, there will be other cars. The cars will be there for sale, but I just worry how well the lot will be taken care of, how traffic will be controlled. We have enough car lots in this area already within probably a five block radius, I would bet there are at least seven car lots, and we don't need another used car lot in this space. I understand the one corner has already been approved, and we accepted that when this came to us two years ago, but expanding it to an even larger lot is just gonna cause more issues. So, I would ask that you deny this request.

- Okay, thank you very much for your testimony, Emily. Is there anyone else wishing to speak on this item? Is there anyone else wishing to speak? Is there anyone else wishing to speak? Let the record reflect that no one has come forward, and this public hearing is now closed. And moving on to agenda item three, which is specifically about the public hearing we just had, consideration and possible action on the request to amend the comprehensive plan for the property located at 215 Elizabeth Street from medium density, retail, office or housing to commercial, submitted by Steve Bieda, Mau and Associates on behalf of Mirhashemi Incorporated, property owner.

- [Paul] Thank you, Madam Chair. I just have a few other points to add. I just wanted to share the site plan that was presented at the neighborhood meeting. Our staff did suggest that the applicant, the current applicant meet with neighbors, and that occurred back in April of 2019. There was really no consensus at that time. I think there were still more questions with neighbors. So, it was really kinda left as is, so to speak. But this is the proposal that was shown to neighbors that would expand the car lot. It also shows some buffering here as well. But again, there was no real consensus from neighbors. Regarding the land use, we talk about transition. This is kind of an important area where we see a commercial corridor getting closer towards residential

properties. So, our recommendation tonight is not to support the comprehensive plan amendment because it doesn't really act as a proper transition to the neighbors or the residential properties to the North. Although it does have a general commercial zoning currently, I just would not permit an expansion of a car lot in this particular case. We did notify affected property owners within a couple of 100 feet of this. We did receive one late communication that someone was supporting this, an enjoining property owner. But at this point, staff is not recommending approval of the comprehensive plan amendment.

- Okay, thank you, Paul. So, was there any discussion among commissioners, Commissioner Bremer?

- I'd like to ask Paul if he could read the reasons, particularly numbers one, three and four, behind the staff recommendation. I thought they were very clearly put forward. They have to do with the fact that this particular request involves a change in the comprehensive plan, an amendment to the comprehensive plan. Paul, would you be so kind?

- Sure, there are several criteria that are used in looking at the comprehensive plan analysis, and that is included within your report, but I can highlight that, certainly. So, the first one is this is the first question that comes out of the plan for our review, the comp plan, the changes consistent with the goals and objectives of, or other elements of the Smart Growth Plan. And staff's response is staff feels the proposed amendment is not consistent with the goals and objectives of the plan. One, it does not reduce the land use conflict through appropriate redevelopment of ablated, vacant or underutilized property, enhanced buffering, or screening and improved buildings and site design. Further, it does not regulate the pattern of land use to find a desirable balance among quality of life, property values, environmental protection and economic development. I think that was the highlights. Was there some other point that you wanted, or number three?

- Numbers three and four.

- Sure, I can go on.

- And I'm not able to access that information myself.

- Sure, and I don't have that on the screen, but I can read that as well.

- Thank you.

- So, question three is development resulting from the changes not create an undue impact on surrounding properties. Such development should be consistent with the physical character of the surrounding neighborhood or would upgrade and improve its viability. Staff's response is the proposed change in land use would possibly create a detriment to the residential neighborhood with additional lighting and noise. The fourth grades here that we look at, the change allows for more viable transition to the plan uses on adjacent properties than the current land use. Staff's response is the propose amendment does not provide a more compatible transition as the adjoining use is more intense than currently recommended. So again, that's the issue with the transition that I mentioned previously.

- Thank you, Paul, for doing that for me. I do want particularly to appreciation for the attention to green space here, but the idea of deciduous trees as a buffer going into the winter seems to be solely inadequate. And I heartedly agree with the staff's concerns.

- Was there any other discussion among commissioners?

- [Jake] Lisa, if you don't mind?

- Go ahead, go ahead.

- Paul, could you flip back to the comp plan map just real quick? I just wanna understand which ones have, which parts have already been approved. You mentioned which, or I forget exactly which one it was, but which has already been approved to operate or to be a C2?

- [Paul] Sure. I'll just use the zoning map. So, there's a hatch pattern here. This has existing highway commercial zoning. So, that building is right about here, the 215 Elizabeth. So, this whole corner is already been approved for auto sales. The balance of the properties is a general commercial.

- And when was the change made to the comp plan for that, for the part that is C2 right now?

- [Paul] I don't know that, I think that's kind of a legacy zoning. I think that's probably been there for a number of years. It could even probably go back to maybe a gas station at some point, I'm not quite sure, but it wouldn't be uncommon to find C2 or B2, former B2 uses or zoning really tight to a certain high traffic corners.

- And just last question too, in terms of ownership, just to make it clear, is it one party that owns all of the parcels that are in question here?

- [Paul] Yes, there are two parcels. Everything I outlined in red here is owned by the applicant, yes.

- Got it, thank you.

- [Paul] Sure.

- I don't see a full gallery view. So, if there's any other commissioners that have any questions or comments, okay.

- [Veronica] Alder Corpus-Dax.

- Please, go ahead.

- Is there, I'm just checking, is there anyone else who is interested in speaking regarding?

- Yeah, we need to open the floor.

- [Veronica] Yes, sorry. I would motion to open floor.

- Thank you.

- Second.

- All right, so we've got a motion and a second to open the floor, all in favor.

- [Veronica] Aye.

- Aye.

- Aye.

- Aye.

- And then, I know someone had just messaged me, would like to speak regarding this. If you wanna come forward and give your name and address.

- Jon LeRoy with Mau and Associates, here on behalf of Steve Bieda, 400 Security Boulevard. Representing Mr. Mirhashemi, the property owner in question. Just to go ahead and follow up on some of the points made by neighbors and staff, as noted, this has been approved on the Southern parcel to go ahead and be a car lot, from the owner's perspective, to go ahead and make the volume work on the property, he needs to have the Northern part of the parcel work in order to go ahead and make the Southern part function. When it comes down to the improvements on site, he has made mentioned that because of the property and the usage to the West there, where the nightclubs, people have parked on the gravel lot, he doesn't see people really parking on the blacktop lot, but the gravel lot has been parked upon. He put up some barriers on occasion. But they have been taken down also over the course of time. But improvements have now been made to the site because he's been awaiting to go ahead and try to have a site plan, sorry, a rezone along with the comp plan. With noting the site plan, and the trees, and vegetative area on the North side of the property, he's willing to go ahead and make changes to make this work for a buffer on this side for both meeting our impervious service needs, and then to try to go ahead and create a better barrier between the parking lot, and that'd be in the future, and then the existing neighbors. From owner's perspective, he feels that with the, our hours that we'd have here between say nine to six, a typical Monday through Saturday, a lot. It would bring more structure to the site itself as far as having a use that is known, that can potentially users of the properties to the West, where it's a stable 100% used lot right there, compared to what it is now, which is gives the impression to folks that maybe they can go ahead and use these spaces for littering things of that sorts. That's the perspective from ownership's side on this. So, it's needed in order to go ahead and make a business like this, go ahead and work for scale.

- Thank you, do any of the commissioners have questions for the applicants? Go ahead, Commissioner Daniels.

- Quick question, we had one of the neighbor representatives on with us, she did both concern around the littering and the current condition of what is already there. Has the owner, to your knowledge, made any attempt other than recently to address those concerns?

- Certainly, these are valid points. In my conversations with the owner, he has said that he has tried to go ahead and note when there might be, say litter from weekends at the bar to pick things up. I don't think right now the property is being used that much, that there's somebody there on site to be on top right now, because of it being essentially a vacant property. But he feels that with it becoming, if it were to become both in the complaint and the rezoned, at that point with the site being structured, that clearly there'd be a lot more presence by people who would be taking care of the property, vigilantly all the time, rather than not all the time at the current moment.

- Were there any other questions for the applicant or the applicant's representative? Okay, was there anyone else that wished to speak on this item? Oh, go ahead, Robert, please state your name and address. Oh, you're on mute, I can unmute you.

- [Robert] Okay, can you hear me now?

- Yes.

- All right, yeah. My name's Robert Heinritz. I'm at 1807 Lost Dauphin Road in De Pere, Wisconsin. I'm actually the prior property owner here who sold it to Mr. Mirhashemi. And I had gotten a few men and cows incorporated. This was a difficult property to get a grasp on and maintain. It used to have a restaurant nightclub in there that was a tenant of mine. Ended up having a fire and burnt down. After that, that's when we sold it to Mr. Mirhashemi as a vacant lot. I think addressing this property is probably something that needs to be done, especially for that area. 'Cause it looks horrible as it is. And there's no sense in just letting it sit and not be developed, I think from the city side. The neighbors didn't like it when there was a restaurant there, and they didn't like it when there was a nightclub there. Now there's nothing there except for parking for another nightclub. And that was an ongoing problem that I had with the property was the neighbors with the nighttime crowd coming in to park and making noises 'til three, four o'clock in the morning. If this is something that could be addressed to the neighbors' satisfaction, that you'd have a lot less traffic and noise pollution, I would think by going in with a car lot that would have regular business hours, and like the applicant's representative said, you would have people actually on the property maintaining it. It's a nice property and he has done good property work, otherwheres in the city and on the corner lot as well. Thank you for your time.

- Thank you, is there anyone else wishing to speak about this item? Staff, do you see anyone else that has a hand raised or is looking to speak?

- I do not, no.

- All right, I'll entertain a motion to close the floor.

- So moved, this is Sid.

- [Veronica] Second.

- Second.

- Thank you, so motion from Commissioner Bremer and a second from Commissioner Petrouske, all in favor.

- Aye.

- Aye.

- Aye.

- All right. The floor is closed. There any question amongst the Commission?

- I have some thoughts. I'm a little conflicted on this one for a lot of the points that Mr. Heinritz made. At some point, certain properties really only have certain uses that they're gonna be good for. And I know that we wanna maintain the integrity of the plan obviously, but an undeveloped parking lot or a asphalt lot, whatever it is at this point, invites trouble and invites interlopers, especially when it's in close proximity to nightclubs and other facilities that operate at night, and that's not to cast aspersions on those types of facilities. They certainly have their use and their value in the city and they're good business owners. But I think that Mr. Heinritz made a really good point in that if you had had a sort of more of a nine to five type business on this a lot with employees there every day, and actual property, cars, buildings, I think it would discourage hours at other local establishments. And certainly they have an incentive as business owners to maintain their lot, to make sure that it looks good to potential customers and it is safe for the employees, much more so than a

property owner who just has a vacant lot sitting there. So, I think that those are the factors that lean in favor of supporting this petition from the owner, in my opinion.

- Thank you, Commissioner Petrouske. Alder Dorff.

- Thank you, Chair. So, as I listened to this and I try to attend as many planning meetings as I can get to, I'm wondering if there's anything that we could do for the neighbors as a buffer or something like that that would help this be more acceptable. Because I think that all the comments that were just made make a lot of sense. The things that the neighbors don't want to see are a vacant lot being misused. When you put something on the lot, then there is more control. It didn't seem like light pollution would be a concern because of the hours, although I imagine they will have lights on those cars all night long, just for security's sake. So, there could be more light. I'm wondering if there's some kind of compromise that could be worked out with the neighbors or some kind of a buffer situation. Even if you have to refer it back to staff. That's it.

- Okay, thank you, Alder Dorff, is there anyone else that has discussion or points they'd like.

- Yeah, Lisa, if you don't mind.

- Vice-Chair Miller.

- I think kind of bounce on both Alder Dorff, but also Randy's comments as well, too. Definitely wanna see sites getting activated, having them sit dormant doesn't really help anybody. I think some of the other comments about what else could this really be used?

- I think you just got cut off.

- Jake, we can't hear you.

- Sure.

- Yeah.

- It did cut out, yeah.

- What's the last part of that there?

- I believe the last part was you were talking about how great my comments were, but I'm not sure if it's.

- Well, yeah, pretty close actually. Yeah, really just kinda reiterating, both what you and Alder Dorff had mentioned there too is I think we wanna see sites activated. We don't wanna let them sit dormant, especially in a tougher situation like this, where there hasn't been anything on it recently, it's in disrepair. While used car lot is not ideal, it's something there that would need to be maintained, and it would be in the owner's best interest to maintain it and keep it clean, keep it looking good for just for their business' sake. So, I like those aspects. What I do not like is how much it's encroaching into the neighborhood. So, I think kinda going off what Alder Dorff had said, if there's a way to a larger, more substantial buffer between the neighborhood and the business, especially with the lights, especially with the traffic, I think there could be some more favorable opinions here, but as of now, I'm gonna have to agree with staff, and probably vote for denial on it as it sits right now.

- Yeah, I guess the main concern that I have, 'cause I agree with the compromise, I agree with not wanting to have a site sit vacant, that doesn't help anyone, the concern that I have, and sure this part of what staff is looking at too, is to amend the comprehensive plan from being commercial. Sure, we can approve the site plan that we like right now, or whatever is going in there, but I worry about in the future, at that point, if we changed the comprehensive plan and then changed the zoning, we can't take that back, and we can't necessarily force a larger buffer for the neighborhood. So, that's the only concern that I, that's the biggest concern that I have. But I agree, we don't want things to sit vacant. That doesn't invite anything good. Were there any other commissioners that wished to speak about this?

- This is Sid, I wonder, I know we've already closed the floor, but I wonder if we might ask Mr. LeRoy if he could address those concerns, we're missing the applicant himself. I would certainly love to hear him express some sense of responsibility for the property, but also some willingness to deal with the larger buffer, which might very well be a berm around the edges and the question of light pollution. I'm wondering if Mr. LeRoy might give us any information there.

- Do we move to open the floor then?

- I guess I do.

- Okay, second, anyone?

- [Veronica] I'll second.

- Second.

- Second by Alder Corpus-Dax. All in favor.

- Aye.

- Aye.

- Aye.

- Any opposed? And the floor is open. Mr. LeRoy, if you could go ahead with those questions.

- Thank you, Mr. Mirhashemi, just to let the audience know, you're knight, does regret not being able to go ahead and be a part of this, but he did have a prior commitment that he could not get out of here tonight. But when speaking with him, green space is a, when it comes down to this site, plus put forward back in April last year, there will need to be addressing to go ahead for both engineering's sake, and then to go ahead and be a good neighbor, trying to find ways to make buffers, and I see here on the Northern part of the property, it's not as though the Dry Val access area is double loaded. So, I'm gonna suggest that there is room to go ahead and bring that buffer down further. Additionally speaking, the processes with different electricity and lighting companies in the area to find a lighting solution, you are correct that the lighting would be on 24 hours a day because of the cars on the lot, but to go ahead and direct the lighting to be just at the lot itself and not go over to the properties off to the North and to the West where there's residential lights. So, the main addressing that when it comes down to the car lot itself is he needs the volume to go ahead and be able to properly make this car lot work just is not enough with the amount of parking stalls itself to make this work. So, my understanding is from before, like I said, when it comes down to the, they looked at a buffer that had a, what is shown right now to go ahead and maximize space that is there to be both impervious and then use the lot as much as possible. If that buffer doesn't meet quite what this commission needs to have, I think there's room to go ahead and make it work to allow for more green space.

- Did anyone else have questions for Mr. LeRoy?

- I do, can you tell me how long he's owned that property? 'Cause I think Mr. Heinritz said he sold it right after the fire. How long has he owned that property?

- A minimum of two years. I do not know how long it would be though after that, sorry.

- Do you know Mr. Heinritz when you sold that to him?

- I would have to guess it's about seven years. I don't remember exactly, but it's been amount of time. I don't know when he acquired the other lot. I didn't sell him a lot on the corner of Main and Elizabeth. It's just the Elizabeth Street lot that had the former nightclub restaurant on it. Do you have any other questions I can answer, any other question anybody else might have as well also?

- Thank you, I just, I guess I wanted to say it was, it's kind of disingenuous to say it's been a vacant lot for so many years, but he's owned it for those many years. So, development was really up to him after he purchased it. And we kinda just went through this a while back with Mr. Goldman when he had the lot that he wanted on. Remember Bader and Mason, right? Used car lot issues. And look, we've all been to purchase cars off lots probably, right? So, definitely a need for them. But in my mind, I think the bigger question that I'd like to ask the the Planning Commission is when you have these plans in place, I feel like we need to go above the, well, it's better than what's there now concept. 'Cause I think that's the first go to is like, well, it's better than what's there now, but this neighborhood has really struggled in the past with traffic and noise with the businesses that are across the street on Elizabeth, for many, many years, and trying to come to terms with that mix of residential and business. So, I agree with the staff, in that I think we should really look at not allowing another large used car lot on this corner to protect these neighbors. Now, the decision's up to you guys, but at some point we have to start saying what's in the best interest for the city in the longterm? That's all I have to say.

- I'd like to move to close the floor again and return to regular order of business.

- Do we have a second?

- [Veronica] Second.

- Second.

- All right, the floor is closed. David, did you have a question or was that a hand up for something else?

- No, I just wanted to make a comment and kind of reiterate what Commissioner Miller had mentioned that this isn't a plan development or a conditional use permit. It's a straight rezone. So, you can look at the site plan and say you want a larger buffer, but you don't put conditions on a rezone. So, I just wanted to point that out.

- Thank you.

- Then I am going to move denial of the request.

- I'll second with the added comment that obviously when we're splitting something like this, we like to go back to the staff's comments and the checklist that goes through a comp plan change. And when we're split, I think you have to defer to what's there in the staff's recommendation.

- Is there any other discussion?

- More of a comment. I intend to vote for denial as well, but I would certainly be willing to reconsider this if it were brought to us perhaps in a different package with a different proposal that provided more protection for the neighborhood.

- [Veronica] This is Alder Corpus-Dax. I agree with a lot of the comments here, as far as wanting to protect the neighbors, but also not wanting to see that lot continue to sit empty. I'm unfortunately inclined to vote in favor of denial, but as Commissioner Petrouske said, more than willing to reconsider this under a different package.

- Okay, so I guess I do have a, thank you, Alder Corpus-Dax, I do have a question for Paul. So, everyone's saying if something else comes forward, us denying this doesn't, if we vote to deny the request, that doesn't disallow them from coming forward with something else, is that correct?

- Correct, I think that could come back. There's no limitation in this case for a comp plan amendment. So yes, they could come back.

- Okay, so were there any other comments from commissioners?

- This is Sid, I just, so as not to mislead the applicant, I do share Ms. Renier-Wigg's concern about yet had another large parking lot basically, or a used car lot in the middle of what is a major part of our downtown, close to downtown.

- Thank you, Commissioner Bremer. Any further comments? Okay, being that, I will go ahead. The motion on the floor is in favor of denial of the request. So, Vice-Chair Miller.

- Aye.

- Alder Corpus-Dax.

- [Veronica] Aye.

- Commissioner Bremer.

- Aye.

- Commissioner Petrouske.

- Aye.

- Commissioner Daniels.

- Aye.

- All right, and I will also vote in favor of the denial. So, unanimous vote for denial of the request. And when do these all go on to the City Council?

- I believe it's September 18th.

- I think it's the 15th, September 15th.

- [Veronica] Yeah, yeah, that's a Tuesday, so.

- Okay, so September 15th. All right, may we move on to the next item on the agenda, which is public hearing on the request to rezone 1748 Main Street from general commercial to highway commercial submitted by Steve Bieda, Mau and Associates on behalf Marjorie Charlier, property owner? And if we could just get some information from staff before we move on to the hearing portion.

- [Paul] Sure, thank you, Madam Chair. This is a request for rezoning along Main Street, the 1700 block of Main Street, actually 1748. The property is highlighted in red here. There is an existing single family home here, but the majority of the property is vacant. The current comp plan shows a commercial. Main Street, of course, is a commercial corridor, and the existing zoning is general commercial. So again, with the ability to sell cars, you need that highway commercial or C2 zoning to do that. So, that is ultimately what's being asked here is a rezoning from C1 to C2.

- Thank you, Paul. So, then we are opening the public hearing on this item. We're looking for anyone to speak who is in favor of the proposal.

- Lisa, Mr. LeRoy, I believed, raised his hand.

- Go ahead and speak please.

- Right, Mau & Associates, 400 Security Boulevard here on behalf of Steve Bieda. If you'd like, I can make a presentation right now or I can wait until after the public hearing is done.

- Paul, what would you prefer?

- I would have the testimony now if I heard it correctly.

- Okay.

- Sounds good, so what is being proposed to you would be some infill. This would be a down here, the Pick 'n Save over on Main Street. The people who are looking to develop the property are from Main Auto Source. They're about a mile up the road right now on a piece of land that they've outgrown. So, they're trying to go ahead and do a auto car lot as well as some car maintenance in the 85 by 40 foot building. Conceptually speaking, that building would be a two story building that would house both the auto shop and offices for the property itself. The garage entrances would become on the South side of the building away from Main Street, with parking for cars, along the Northern and Eastern edges of the property. This is a matter of a demand. Again, they've outgrown their space over to the West and feel it's more appropriate over here in a bit more of a suburban area, compared to where they're at right now. You'll remember the property we're just referring .

- I think you're muted, Lisa.

- Sorry about that, thank you for your testimony. Is there anyone else that's wishing to speak in favor of this proposal? Is there anyone wishing to speak who is opposed to the proposal? Is there anyone else wishing to provide information only for the proposal? Is there anyone else wishing to speak? Is there anyone else wishing to speak? Let the record reflect that no one came forward. This public hearing is now closed. May we move on to the associated agenda item, number five, consideration with possible action on the request to rezone 1748 Main Street from general commercial to highway commercial, submitted by Steve Bieda, Mau and Associates on behalf of Marjorie Charlier, property owner?

- [Paul] Thank you, Madam Chair. I just wanted to give you an aerial perspective here of the property. Again, you can see the single family home, a vacant lot along Main Street, and the applicant was just talking about the site itself. This is a conceptual plan that was provided by the applicant. Again, you can kinda see the location of the dealership, and then the parking area is for the vehicles. So, we've notified affected property owners. I think we received one response supporting the request. I just wanted to also clarify an issue from a zoning perspective, which we would not considered this a spot zoning. So, here is the zoning map itself. It shows the

general commercial area on the West side of Main Street. There is a highway commercial zoning across or on the East side of Main Street, that's opposite. And it's also part of the city's comprehensive plan to have it as a commercial corridor. So, we don't believe this is considered a spot zoning in this particular case. So again, staff is recommending approval of this request.

- Thank you, Paul. Was any discussion between commissioners or questions for staff, Alder Gerlach?

- I would just like to, I have a question to ask, and I'd like to say that I am familiar with Main Auto Source. I can speak as both the Alder and speak on behalf of the neighborhood association. They are a wonderful neighbor, and they take excellent care of their property. It's really a source of pride along Main Street. That's my comment. My question is when you allow for development of a property like this, is there always a condition that they must create some kind of flood mitigation feature in the property?

- Sure, yes, as part of the site plan review, they'll have to submit a site plan, and also have to provide some stormwater management. So, depending on the size of a lot, depends on the impervious coverage, there has to be some sort of management plan for the water. Beyond that, there has to be green space, typically in this type of district, it's an 80 20 mix, max impervious is 80%. So, that leaves 20% pervious, but yes, there will have to be some sort of stormwater management as part of this.

- Okay, thank you.

- So, as follow up then, Paul, does this meet those requirements, the 80 20 in particular?

- Well, I think it's really close. Yes, this is a conceptual plan that's been provided, so they were not required to provide a detailed site plan necessarily. It was more or less a courtesy. But certainly, we'll look for those points when we review the site plan.

- And just as there would be that concern about the balance between pervious and impervious surfaces, is there also a requirement that we could count on the planning staff enforcing for some kind of protective barrier or buffer for the surrounding homes?

- [Paul] Sure.

- I have the same kinds of concerns here that I did on the previous one. And if you could speak as well, Paul, about what makes this different from the previous situation?

- [Paul] Yeah, the issue here is that this has an existing commercial land use as recommended by the city's comprehensive plan. So, it's not a comprehensive plan change. We can support this because it's consistent with the plan. So again, kinda going back to the concept plan, you can see the green here, it might amount to maybe 20%. It may have to be beefed up a little bit, but when this property adjoins a residential property, there's a 15 foot transitional yard that's required on this West side here. So, that would mean a fence, hedge or broom might require some landscaping as well. So, those are things that we'd be looking for requiring as part of the site plan.

- Thank you.

- Paul, I do have a quick question as well.

- Sure.

- With that current picture that your had up, is the current business, is that the business across the street currently?

- [Paul] I don't know for sure. There is some sort of auto repair that's going on across the street, but I don't know the ownership necessarily.

- There's Auto Care directly across the street. And then to the South East, there is also Auto Zone, a few doors down.

- [D]] Thank you.

- [Sidney] Yes.

- Is there any other discussion? Is there anyone public that would like to speak? Any other discussion on this item? The Chair would entertain a motion.

- Since this is in keeping with the comprehensive plan, I will move to accept the staff's recommendation to approve their request.

- [Veronica] I will second that.

- Okay, we have a motion and a second to approve the request. Any other question? Okay, all right, we'll go ahead and do a roll call vote. Vice-Chair Miller.

- Aye.

- Alder Corpus-Dax.

- [Veronica] Aye.

- Commissioner Bremer.

- Aye.

- Commissioner Petrouske.

- Aye.

- And Commissioner Daniels.

- Aye.

- And I will also vote in favor of the proposal. That's a unanimous vote. And moving on to item number six, which is a public hearing on the request to authorize a conditional use permit for material recovery facility and auto salvage operation at 1156 Velp Avenue, submitted by Burrows Midwest, LLC, doing business as Midwest Scrap Metal, property owner. And if staff could please go ahead and give us an overview of this before we take public hearing testimony.

- Certainly, thank you, Madam Chairman. So, this is our request for a conditional use permit on the public hearing for requests for a conditional use permits. So, the property itself is on Velp Avenue. It's 1156 Velp. It's on the corner, Northwest corner of Winford and Velp. You can see it outlined on the screen in red. Site doesn't quite look like that. There's no structure on the site any longer, but this is the location. It's about 3.2 acres. Again, it has a lot of impervious surface, 100% impervious surface. So, this is the site. Can you go to the next slide, Paul? Okay, this is the future land use plan. So, you can see the Southern half of the site in our land use plan is shown as commercial. The Northern half of the site is shown as a general industrial type of use, and across the street is a medium density office, retail, housing, and then further to the South, you can see it's all single family, or low density residential. And the next slide, please. I wanna point out that in 2017, the Velp Avenue area wide plan was adopted. This plan kinda went up and down Velp Avenue, and showed potential redevelopment options. It was adopted into our comprehensive plan as a supplement or as an addendum to what you see on your screen now, it's just the cover. And then, this was called transformative site number three. It included the Alwin Manufacturing building, which is adjacent to the West up to Winford Avenue. And probably more importantly, so this is a concept of what could happen on the site, and it was just part of the plan. But more importantly, if you look over to the left, there is a land use table, and a compatibility matrix, correct. And Velp Avenue plan here recommends the most compatible use is to be commercial, or excuse me, to be a mixed use office and retail or industrial, and then dropping down to commercial or office, and then least desirable is multifamily or green space. But I wanna point out in the plan as well that it does call for modern industrial uses. You can see on the draft concept that that's a showroom, contractor showroom, commercial area. The historic reuse of the structure would not apply to this site itself. There's no structures on there. But really the goal of the Velp Avenue plan, if I can summarize it in one sentence, which is very difficult, but it's to make Velp Avenue a more friendly and inviting corridor from the West to downtown. So, to lessen the presence of industrial uses that sort of increased that activity and active type of uses. And then I guess the next slide, please? This is the zoning map. So, even though the Velp Avenue plan had recommended that, the comp plan does show it has different future land uses. The existing zoning on a majority of the site is general industrial. Just about 80 feet back from Velp Avenue, there's a strip of highway commercial, which is C2 zoning. So, this is what our zoning, existing zoning shows for the property itself. And with that, I had mentioned the property's about 3.2 acres. It does have right now no buildings. It is fully covered in pervious concrete. It's got some compacted gravel, which the loose gravel piles are from a recently demolished building up the corridor. There is I think two curb cuts on Velp. I think there's six curb cuts on Winford. The reason the petitioners are requesting the conditional use permit is to permit, there is a newly established material recovery use on the site right now, you'll notice a fence went up, and I think there's been some material storage in there. Currently, this conditional use permit would require, is required if they go to more of a retail salvage operation, so when I say that, it's would be an auto salvage yard or a scrapyard where people would bring items there to be sorted, to be sold, they could be dismantled, and that kind of thing, that's a little bit different. So, the material recovery is more of a commercial aspect. There's not coming and going of customers. There's not autos or refrigerators or that kinda stuff, but the salvage or the auto salvage would contain those. So, that is what they're requesting. What's on the screen right now are some images of the site. There's gonna be two slides of this. I'm sorry I kinda crammed them on, but the upper left is you can see right on the corner, so you can see where the building was removed. There's sort of some gravel there. In the

upper right hand corner, you can see it a little bit better. So, there's a curb cut that comes in off of Winford. And you can kinda see where the building was. The bottom left shows the elevation change from Velp down to the majority of the site. Again, the previous parking area or drive aisle area. And then the gravel where the building had been sitting. In the bottom right is just sort of the frontage down Velp looking West. And the one thing I wanted to point out there is you'll see, there's sort of, it's kinda blends in with that white building, but in front of the white building, which is the Alwin building, there is some remnants of a wall, possible building wall or a brick and stone display area that has not been removed. So, that is still there. If you wanna go to the next slide, Paul, I can kinda go down the next one. So, there's three more. This is the upper left is looking past that more commercial site on the top where the building was removed. You can see the stone blocks blocking a driveway that leads into a sort of a gravel and other area there. And then, you can see the salvage operations behind the fence to the South. I shouldn't call them salvage, the material recovery operations to the South. Up in the right hand corner are just those blocks, showing the curb cuts. You can kinda see the condition of that Southern part of the site, that gravel pile there. I believe it's the remnants, or maybe fill from the building removal, I'm not sure. And you can see the back of that structure or that wall that is still sitting there, that hasn't been removed. And then on the bottom picture is just, there is a requirement for any outdoor storage has to be screened from view at least six feet high. So, this is the fence that went up just this year, that blocks the material recovery operations from the rest of the site. And then I think Paul, if you switch over to another one, two site plans were submitted with the application. So, the one in the left is an amended site plan. It's a little bit difficult to read because it shows the old structures on there, yeah, that have been removed, but you can see those on the Southern part of the site, they're kind of in white. And that line that cuts through that white area is that fence that I had showed you. Correct, and that circles the entire site. So the operation, as it would show right now, you can see some material storage areas and you can kinda see the fence. There's a truck scale that is on here as well. About a 600 square foot office building just to the South of that truck scale. And then about a 5,500 square foot warehouse where he's pointing, where it's being pointed at right now. Some of the other stuff that's proposed for the site is some equipment parking, some car drop off, and vehicle storage areas, and an area for roll offs, luggers and trailers. And I am no expert at that, but that is a lot of that is the rental dumpsters in different forms. And the petitioners can correct me 'cause they know better. So, that is what's being proposed for the site. South of the fence, they are not proposing any use at this time. That's about 120, or excuse me, about 100 curb of Velp. And then I'll wait for the actual meeting to go through our report.

- Thank you, David. So, now with this being a public hearing, we ask that you confine your testimony to the facts related to the proposal at hand, regarding the land use of this parcel. And we will ask for interested parties, people who are in favor of the proposal, if they would like to come forward to speak. I see Michelle is what the name is. If you could give me your name and your address, and unmute yourself or can staff unmute, oh, there we go.

- Eric Burrows, B & B metal, I'm currently located in Newton, Wisconsin here.

- MJ Burrows, same address.

- And you wish to speak in favor?

- Yes.

- Yes, in favor of the changes, correct for the application.

- Was there anything else you'd like to add?

- Well, basically we're wanting to know your recommendations that you guys feel and then work our way through that. So, I guess we're wanting to see what you guys come up with or what your thoughts are on it, and then answer any questions you may have.

- Okay, well, and this is the public hearing portion of that so probably when we touch on that in the next agenda item, we can go through that and answer any questions at that point.

- Okay, very good.

- Is there anyone else wishing to speak in favor of the proposal? Is there anyone who wishes to speak that is opposed to the purpose?

- Yes, I would.

- Okay, go ahead, sir, just state your name and address.

- My name's Gerry Bigelow, 1216 Buchanan street, okay? One block away to the South of that, I put in at about an 8 billion, \$10 million complex, sitting there right now, all my money, no TIFF money or anything. For me to get that complex in there, I had to take all my frontage of Velp and leave it vacant. And I had to rezone it to retail in case somebody wanted to go with this plan that was just showed. So, I had to admit a million dollar building to go along with this plan, and a block away, what I'm looking at right now is garbage. Those refrigerators have food in them. There's seagulls in there, it's gonna draw rats. It's the most repulsive looking thing that any city could possibly ever have. There's a staging area there that Mau has for tree stages in the back. They're already not doing that. They got 55 gallon drums in the front. So, they're already not doing what they supposed to do. It should have never went in there. I come to Green Bay. I own all the buildings alongside of it. The city gives me this. I had radiants. I had five meetings with all the neighbors. There isn't one neighbor that wants what you put in there. It is terrible. And the reason they're not on here is because they don't know

how to work these phones. If they had some neighborhood meetings over there, you'd have the whole neighborhood in roars. He's not gonna keep the rats out of there. He's already not putting the material where he's supposed to be putting the material. I talked to some other people that are gonna be delivering steel there and metal there. And they says the traffic there is gonna be horrendous. How are those trucks, the only exit you got going up to 43 as a block away, how are you gonna control that? There is no exit down in Howard up on 40 Street. It's absolutely ridiculous to have somebody come and spend upwards of \$10 million, and then you put that alongside of me. I can't even, it's that guy is saying handling material. It's not handling material, it's garbage. Come over here to look at it. Then he's got three little circles there where he's supposed to be putting the stuff. He ain't gonna do it. He's gonna put the stuff wherever he wants to put it. Just like he is now. So, I won't give him one thing to expand that thing. The city told me to invest \$10 million, they showed me this. Then they do this to me. That's all I got to say, and I'll tell ya, if he had some neighborhood meetings, there would be hundreds of people. Jon is still in there from Mau, ask him, Jon did the meetings, he knows what the neighbors want. He's probably still listening to this. He's the one that ran all the meetings.

- [Man] You got 72 families moving in.

- Yeah, I got 72 families moving in, 150 people. You go down a little bit further. You got 100 families moving into the neighborhood. Now alongside of that, they're building another 200 units. You have got another 400 people. You got 700 people moving into this neighborhood. 700, and the fence that he put up, you could look, when you're right by Velp, there is no fence. The elevation is more than six feet. It's a joke. There isn't a city of the state of Wisconsin that would allow that junk in there. And I'm telling everybody around here feels the same. It's absolutely, you go over there tomorrow morning, they take those refrigerators, they smash 'em on the ground, the food's all over. I've had more seagulls out of my damn roof since they moved in. So, you know the rats are coming. It shouldn't be here, it shouldn't be in any city. He wants to do that, you tell him to build an enclosed building on the whole damn thing and put the whole damn thing inside, and get some rat control, and then do something about the traffic. You're gonna have somebody's backed up here. And they're not gonna be able to get on Atkins exit. What do you think? And they've gotta make a left. What you think you're getting there and what you're gonna get there, it ain't even close. You wait 'til that thing gets running 100%. That six foot fence is gonna have 30 foot garbage. So, you're not gonna get what you think you're getting. And don't call it a handling facility, call it a dump. It's all I got to say.

- Thank you for your testimony, Mr. Bigelow. Is there anyone else that's wishing to speak that's in opposition of the proposal?

- Madam Chair, we have a request to speak from somebody who has neither a camera nor a mike. He's provided it on the chat and if I might be allowed, I'll simply read it for him. He's speaking not in favor. His name is Brandon. He represents Beyond Redline Performance at 1220 Winford Avenue. "We do not need a junk yard across "from our professional business. "Do not need more traffic. "Do not need more junk. "Do not need scared away from the junk yard next door. "We have high dollar customers and vehicles "that this will absolutely turn away. "Junkyard across the street." And Brandon offers apologies that he's without or a mike. And I have two other peoples who have entered comments here, one from Luke, but I don't have a full name or an address. Perhaps that gentleman would be so good as to enter that information on the chat. He notes that Gerald is correct about the seagulls, that there are too many trucks, and that he's not in favor. And then again, Tracy Degeneffe at 1136 Wilson Avenue is speaking in favor. "The current violations should be enough."

- I think it's not in favor.

- Thank you, it's more like it, "The current violations "would be enough not to allow him a CUP." I think that's all that's here. Luke is from 1215 North Buchanan. I don't have a last name yet.

- Yeah, there's another person who also, that MT without an address or full name.

- A continuation of Tracy Degeneffe, M and T.

- Oh, that's right.

- Is raising environmental concerns. "Grandpa John's is also on the same road "and less than a mile away."

- It looks like Luke, his last name is Stubbs with the address of 1215.

- Thank you, Mr. Stubbs.

- Okay, all right, all right. So, is there anyone else wishing to speak that is in opposition to?

- [Man] Tell them you own the buildings on Winford as well.

- Go ahead, Bills.

- Hello, hello?

- Yes.

- My name is Bill Smiths. I own the building at 1173 Velp across the street, a residential slash commercial building. Then I own the other lot next to that too. I 100% agree with Mr. Bigelow on that, and the trash mountain they have there. By no means is that a recovery or a service area, just looks like a big dump. And also too have that you can see from Velp, I thought the comprehensive plan, when I bought that building across the street, that was my intention that that, something like that, and Mr. Bigelow spending all that money down there for us to better that neighborhood down there, not turn it into a garbage dump or a recycle center of whatever sort. And when you're driving down Velp, you can see everything. We have is an eight foot fence by commercial standards. It probably should be 15 feet tall. So, you wouldn't be able to see it from Velp, but I am 100% against it.

- Thank you for your testimony. Is there anyone else wishing to speak in opposition to this proposal?

- And just to clarify for the record, this is Sid again, reading from the chat from Tracy Degeneffe, she does confirm that she is not in favor.

- Gerry Bigelow would like to say one more thing.

- Madam Chair, point of order. I don't believe we're allowed to have somebody speak more than once.

- Correct.

- Thank you.

- Is there anyone else wishing to speak in opposition? Is there anyone else wishing to provide information only? Is there anyone else wishing to speak? Is there anyone else wishing to speak? Is there anyone else wishing to speak?

- No, it's muted.

- Let the record reflect that no one came forward, and this public hearing is now closed. And moving on to the correlated agenda item, number seven, consideration with possible action on the request to authorize a conditional use permit for material recovery facility and automobile salvage operation at 1156 Velp Avenue, submitted by Burrows Midwest, LLC, doing business as Midwest Scrap Metal, property owner.

- Thank you, Madam Chairman. Okay, so I'm gonna get a little bit more into our report and evaluation and our recommendation, but you still have the background. As I had mentioned, the comprehensive plan does depict the North half of the site suitable for industrial uses. So, that is consistent with the comp plan. However, the Southern half of the site, oh, there we go, Southern half of the site is depicted as commercial. So, that is not consistent with the comp plan. Also the Velp Avenue area wide plans recommendation is primarily for mixed use and modern industrial uses. And when I say modern industrial, it's usually small scale manufacturing. Some people call it artisan type businesses, showrooms. And again, the intent of the Velp Avenue plan, the greater intent was to create a gateway corridor downtown that had some greater curb appeal. However, and if you can go to the zoning map, Paul, however, the zoning on property, on the entire property right now is general industrial. So, generally when these plans are adopted, not generally comp plans, but the area wide plans, it's usually followed up or often followed up with a zone change. So in this case, we would run up and down Velp, and probably rezoned the fronts of these properties to a commercial designation. Green Bay does not do, currently, do many of those proactive rezones. And we kinda wait more for the property owners to request it or a developer to come and request it. So, that zoning never changed. A majority of it is general industrial. And so, it does allow the material recovery, just not more of the retail salvage. So, I do wanna point that out. And so, consistency with the plans, it's partially consistent. If an owner requires a zone change, and obviously the zoning is in place, we are recommending to be consistent, as consistent as possible with the plan, and still allow the property owner to get some return on his property. We are recommending that the Southern approximately acre of the site not be used, salvage operations to be prohibited along Velp Avenue. It would basically be 130 feet on the Western property line and 200 feet on the Eastern, that split off is just about an acre, it's just under an acre. So 0.88 acres. So, that is gonna be our first recommendation. As I had mentioned before, when we do our regular conditional use permit evaluations, we go to the site, take the pictures, take a look. We did feel that the site is semi blighted state, primarily where the former building was. There are piles of gravel. There's still structures out there. The two unused curb cuts on Velp are not necessary. It appeared from my view that of the six cuts on curb cuts or driveways on Winford that only two of them are going to be used by looking at the submitted plans. So, while many of these improvements, and I can use air quotes improvements, might need to be removed as part of the demolition permit that was taken out when the building came down, we wanted to reiterate that, and make it a condition of approval. So, you'll see the second, or excuse me, a number C, the unused curb cuts along Winford Avenue be removed and replaced with appropriate curbing. And then B is the area prohibited for salvage uses, which is referenced in condition one, would have the pavement curb cuts and all other improvements removed in that area, returned to a vegetative ground covered. In that way, staff believes an acre, we did consult with a real estate professional, and our economic development staff had said you would need about an acre of property there to be able to put a commercial use on there, a more compatible commercial use than industrial. Much like Mr. Bigelow had mentioned in the public hearing, same type of condition applied to his property with his housing project. So, we are recommending that. And then, obviously you've heard it before, operations of this type and intensity that primarily have outdoor storage and it's an outdoor business does require a fencing screen that only needs to be six feet high with a 90% impervious or opaque material. However, the way the quote is written, that is really has an assumption that industrial type use is gonna be next to or near other industrial uses. When it is adjacent residential, there's a higher screening and buffering requirement. So, the close proximity to all the housing on the South side of Velp lead staff to believe that additional buffering is needed, and not only just for visual, but for noise, potential order and other impacts, we are recommending condition D, that a landscape buffer and vegetative screen along the South side of that relocated fence, be put up, that's a minimum of six feet high and not less than 90% opaque on a year round basis or evergreen type buffer. So, the other problem that kinda comes in and requires that buffer is the proximity and the visibility of the recovery and proposed

salvage operations could have a negative impact on the redevelopment of the Velp Avenue frontage, which directly goes against the Velp plan and the part of the comprehensive plan. So, although the site or the proposed use itself is not the most desirable and it does not fully consistent with our long range plans, staff is gonna support the CUP request with the inclusion of these four conditions in that it does continue to promote the values of the Velp Avenue plan, it's in keeping with the comprehensive plan. And so, that we will be recommending support with those four conditions. We have contacted Alderman Scannell, the Mather Heights Neighborhood Association, also Alderman Steuer, who isn't necessarily in this district, but is adjacent. We notified property owners within 400 feet, placed the notification sign on the property. And to date, we have received seven inquiries on this petition. Of those, three were simply inquiries. And four were objections. When I did the staff report, there was only six. One of the objections we received, and I'll just kinda hold it up for ya is large, it was just received today. We were unable to go through it and kind of vet it for appropriateness, but to get, have you kind of a break is that I did read in here right away, there was a concern about the stockpiling of garbage, the stockpiling of metals and the site itself. There was a lot of concern about environmental issues. So, the Northern part of the site is flood plain. And there was a lotta concern about leaching of fluids and other materials that may leach into the flood plain and the watershed from inappropriately stored recovered materials and that that would only increase with the use of automobiles, refrigerators and other more retail type materials, recovery materials. There's other things in here, and this will be kind of vetted and it'll be prepared for the Common Council, but at this time we were not able to make it through this large document, but the commenter's name is Dennis Nelson. He did not have an address, he did not leave an address. So, with all that being said, and I know it's a lot, we are recommending approval of the conditional use permit for a salvage and auto salvage operations with the four conditions previously mentioned.

- Thank you, David.

- Madam Chair, a question for Mr. Buck.

- Go ahead.

- Actually two, this is Sid. First of all, did I understand you to say David, that you felt that this proposal was in keeping with the Velp Avenue plan?

- With the conditions, it is more in keeping with the conditions put in place. Because the frontage would remain commercial. But it is in keeping with the comprehensive plan.

- Oh, with the comprehensive plan. Okay, I understand that. So, I just wanna get clear on our range of options here. If I'm understanding you correctly, since we have now the Velp Avenue plan and the comprehensive plan, if somebody came in and asked, as Mr. Bigelow did a while back, to make zoning changes, we would be able to

do that based on an argument that it was in keeping with the comprehensive plan and with the Velp Avenue plan, correct?

- Correct.

- But if somebody wants to build something that is not in keeping with the Velp Avenue plan, and you said less, not in keeping, but still, I would say not in keeping with the Velp Avenue plan, are we just helpless? Because the zoning currently supports it, and that person is not asking for a change in zoning?

- Correct, they're not asking for a change in zoning. So, the zoning allows material recovery, but it doesn't allow salvage or auto salvage. That requires a conditional use permit. So, if you remember the legislation from a few years ago, you can apply conditions to the request that would mitigate the negative impacts, but they're only asking for a conditional use and not a rezone. Zoning is still general industrial.

- So, with the conditional use, we could exclude the auto salvage.

- You could, correct, but that would be a recommendation of denial. You could add conditions to it. And if you felt that it didn't meet, you could deny it if you don't think those conditions to stop the negative, potential negative impacts in your mind could be met or anything would save that.

- Even though the current zoning supports at least part of the request.

- The existing zoning supports the current use of material recovery, but not to that next level of retail. That requires the conditional use.

- Boy, I'm still having difficulty with this. I'll put it right out there. I can't in good conscience vote for this, because we have put a lot of time into the work on the Velp Avenue plan. And I think this is a serious step back from it. I appreciate it very much Mr. Bigelow's immense investment, which was in keeping with the plan. And I find it very hard to understand how we can go forward and support this, just because the current zoning, which hasn't been changed, allows it. I'm really stuck on this one. And if anybody can be any help with this, I'd appreciate it.

- Mr. Daniels.

- I do have a, yeah, I'm sorry, thank you, Chair. So, and again, I'm trying to with, see, and I'm trying to wrap my head around this as well. So, the comprehensive plan was more envisionary, and then by the time zoning is industrial, is that correct?

- Correct, so the comprehensive plan recommends a different land use than the zoning that's on site right now. We have often times thought about doing rezonings immediately after plan adoptions. That has not really been a Green Bay policy in the past.

- So, if that had to happen, that current business would not have been allowed to currently be there, correct?

- Correct.

- Thank you.

- [Veronica] Madam Chair, this is Alder Corpus-Dax.

- Go ahead.

- [Veronica] I'd like to make a motion to open the floor one more time in the event that there's anybody that wants to speak that has additional information.

- Okay, do I have a second?

- Second.

- I second.

- Second from Vice-Chair Miller. A lot of seconds, but that's the first one I heard. All in favor?

- [Veronica] Aye.

- Aye.

- Aye.

- Any opposed? All right, floor is open. Is there anyone wishing to speak on this item? If you could please give me your name and address.

- Gerry Bigelow, 1216 Buchanan street. I also own the property directly across, and I've been buying more buildings directly across from him. And I got the parking lot across the street, and down the road, I was thinking about building more multifamily there, and this would make that absolutely impossible, and ripping down some of these buildings. I'm ripping down on one of the buildings behind the Atkins house. Like I say, I'd like to go further down here, but the land that I own right next to his across the street, it's basically rendered useless right now. There's nothing that'll go in there. So, I bought that land and I bought those buildings for nothing, that's all.

- May I ask a question of Mr. Bigelow?

- Yes.

- Madam Chair, is that allowed? Okay, do I understand correctly that you have bought additional land to the South of the property?

- Yes.

- And that you consider that this use would render that land useless?

- Yes, it would.

- And am I correct that you have begun the building on the apartment complex for which we recommended for you before?

- There's two buildings just about built. All the footings are in, very, very nice looking site. Very quiet back there, a lot of birds. It's just a very pleasant site. It was a big field. There's a car lot in the front there. But I say since I started building, I see he got rid of half of his cars, and he kinda clean that up and raked the yard. It doesn't look bad. He's trying and he's helping, and up and down Velp, what I built this probably the first thing in 50 or 60 years that have been built other than storage sheds. So, you got 50 years of zero here, and I'm the first one that started. And I'll tell you, you give anybody land, they'll build on it. I have land that he's got that stuff on. There a lotta good uses for it. You're a gateway, you go down to the KI center, this is the road they take. They go down to City Hall, this is what they see. This is what everybody takes to go to your downtown. It's a gateway, it not only affects Velp, but also affects everything you're trying to do downtown. You got residents moving down there on the river now. This is the first time that the city really is getting new people in the city, with the East side and the West side, it just doesn't belong there. It's not good for anybody. You add up all that scrap metal in there, it's worth how much a ton is it right now?

- [Man] 50.

- It's \$50 a ton. He's got \$500 worth of shifter, it's all he's got. \$500, \$500. And have you look at my tax revenue, he's got \$500 worth, 10 bucks is laying on the ground.

- You're gonna wreck the city for \$500 worth of scrap metal?

- You don't know what you're talking about. Point of order.

- Point of order, you haven't been recognized, sir.

- I know what scrap is.

- Mr. Bigelow has answered my question, thank you.

- Okay, great, thank you, yup.

- Thank you, Mr. Bigelow

- [Ryan] Madam Chair, this is Ryan Graff from the firm of Mayer, Graff & Wallace. I represent the petitioner, could I speak?

- Sure, go ahead.

- [Ryan] Thank you, my address is 1425 Memorial drive, Manitowoc, Wisconsin. I represent the petitioner. I'd like to address Mr. Bigelow's concerns. And I'd like to address the report by Mr. Nelson. And I'm gonna start with Mr. Nelson's report. What this Commission needs to understand is that Mr. Nelson was hired by the petitioner's largest competitor to do a hit job in their report that was 200 pages. I have three small children. I had very limited time to review it tonight before I came home. But I can personally speak to a number of the accusations in that report because I defended the company against meritless allegations that resulted in no criminal convictions and resulted in a dismissal of a civil suit. It's clear to see, and this Commission, and eventually the Common Council needs to understand that this report was bought and paid for by Alter Scrap, which is their primary competitor. And Mr. Nelson is a private investigator. So, that's number one. To Mr. Bigelow's point, he's got a lot of emotion. He's got a lot of frustration. He's told this Commission how much money he spent and how he thinks that investment is gonna go down the toilet because of these guys. That's also a fantasy. Mr. Bigelow's question of what municipality wants this? I can tell you a number do, because this is a professional organization. This is not a fly by night operation. They engage hopefully intelligent attorneys. They engage engineers, they engage environmental consultants. You saw that in the reports you were provided. So again, while I understand, what I understand from Mr. Bigelow is I had to do something that is going to be different now. And my investment is going to be ruined. This is a professional organization that I have firsthand knowledge of. And again, have gone to a number of municipalities with them, engineers, environmental consultants, they are a reasonable organization. They are here to answer your questions. I don't believe they appreciate being attacked like they are with Mr. Bigelow and the words he's using. So, I think they apologize for the emotion they showed. But again, this is not some two guys in a truck. This is a professional organization, and that might not persuade some of you. But I think some of you are getting the wrong ideas with some of the course language being used here, some of the accusations being thrown around here about seagulls and rats. Again, I think if the professionals at the city were worried about that, maybe you'd see that in their report instead of Mr. Bigelow's conjecture. So, please ask these gentlemen any questions you want, ask their engineers any question, ask their environmental consultants any questions you want, but let's not rely on frankly, these salacious allegations and a 200 page dossier, which isn't worth the paper it's written on, because I was there, and it's paid for by their primary competitor. Or again, a man who's telling you, "I got 10 million invested, it's gonna be worthless." Everybody on this commission knows that's ridiculous. His investment isn't gonna be worthless because a professional organization comes in. So, I was planning on just being an observer tonight. And I apologize if I get long winded, but that Mr. Petrouske knows that's our profession. And once we're given an open floor, we just talked. So, thank you very much for your time and consideration.

- Thank you, Mr. Graff. Is there anyone else wishing to speak? I see Michelle.

- Yeah, hello, this is Eric Burrows again from 1156 on Velp Avenue. Thank you, Ryan for speaking part of a B & B Metals and Burrows Midwest. I agree with the back slashing on us. I think that some of the Commission has been out to the property on Velp. I do believe that before we bought the property, it was Coney Materials. We took the building down because I believed it was an eyesore to the city of Green Bay before any development was made. And we leveled the property and the property looks pretty, I believe the property looks pretty good. Yes, there are some things that need to be done, which was addressed to me by Mr. Buck. And I agree with him on that. I'm not out there constantly looking at the property, but I am out there weekly visiting our site. Now, as far as the scrap metal that's there, I don't like people telling me what I have there and not have there and what it's worth. The scrap metal that is coming in there is coming from certified people that have scrap metal. There is no on any of these refrigerators. It's being dumped industrially with what I have right now with the city of Green Bay. So, I am following my rules. There is not garbage blowing around. No, the last time I out there to put a lock on my gate, I do believe that the property East of me is owned by Mr. Bigelow. And I'll be honest with you, I believe there's more garbage on Mr. Bigelow's property than then is mine, but we're not here to talk about Mr. Bigelow. We're here to talk about Burrows Midwest. There is no garbage blowing around on my property. It is all contained in the area on my drawing where there shows scrap piles. I have it in that area where I was directed by my environmentalist to put it because that's what we submitted to the city of Green Bay. Currently, I have dumpsters and roll offs on there. We are gonna start going to scrap metal out of there very shortly, because I wanna make sure the gates were up and everything was good. But as far as garbage or any contaminants, absolutely none, because the scrap that is coming in, it's just not your normal items with oil in, or this and that. This is coming from reputable people in town of Green Bay. Dave's Appliances that all of his appliances are drained. All of his stuff is a carefree, and that's the scrap I'm putting out there. No, we have not stacked up anything. Everything has low out there. We're gonna currently move it, but what we have on site right now, I think it's very fair. I do believe that Mr. Buck was out there, and if there was any garbage or anything else, and I'm sure maybe some of the other Commission has been out there, I would have got a call from the Commission of Green Bay. The only call I've ever got from the Commission of Green Bay is when the weeds were high. And we went out there and we cut them down for them because that's what they wanted, that's what we did. But our scrap business, nobody has any idea what our scrap business does. We have another yard, see on Google, B & B Metals, which is a very clean yard and which is all concreted. We chose the Coney Materials spot because that property sat up for sale for a very long time, and my property after I demoed that big building or our company demoed that big building from Coney Materials, not once did somebody come to us and offer to purchase that property. That property sat vacant for almost, I believe, get me if I'm wrong, three to five years. Now, if Mr. Bigelow was so worried about what was going on on Velp, why would he not come to me when I had nothing on that property and asked to buy that property up? I never got that call, okay? And now he's concerned. I believe that what he should be concerned about is what is West of me that has more garbage on that property than what Burrows Midwest owns, okay? I am keeping everything in regulations. I have my scale on the property. I'm waiting for electricity. We have the scrap piles in our corner. There is basically nothing else I can do there to improve the site, except for up on top of Velp that Mr. Buck said that we had to take some concrete down that was left from the demoes, which I am planning to do. So, so far as I look at it this way, my companies, our companies have been following what the city of Green Bay has asked for. And then my brother would like to say a few.

- MJ Barrows, same address. That reno wall stated, that's a drop off. We don't want anyone to get hurt falling off of that. And also, if we'll put the trees on up, and make everything look the way you want it to on the top top end, but if you know how that property goes, that property dips down into a lower elevation. So yes, we

could put the trees there and do what you want, but there's not gonna be any kinda commercial use to that. I don't think there's enough land up there to do anything. We also are a family owned business for 50 years. Mom and Dad built it. We don't put up eyesores. You might not like what we do, but it's not going to be what Mr. Bigelow said it's going to be. If you come and look at our scrapyard over here in Newton, it is the finest scrapyard in the United States. You can ask anyone that comes here, how clean it is, all concrete, always getting swept, taken care of. We will not leave scraps just sitting there doing nothing, because we don't make any money when the scrap's just sitting there. They get processed, that's our job, write it in, take it out, and try to make everyone happy, and make a dollar. That's our goal, but we're not gonna be ripped on by Mr. Bigelow when he's got an eyesore too over to the left.

- And for the comment made by Mr. Bigelow, that I'm sitting here, smashing stuff, I think anybody after this meeting or tomorrow morning can go past Velp Avenue and see if I have any material handling machines out there. I don't have anything out there besides a truck and roll off containers, gentlemen and madams. All I have out there is containers. I have not yet touched that material. So, how can I smash material, according to Mr. Bigelow, like I do, and it's going over to his side or any side, that is? I don't think so.

- The fence goes all, if you do have any issue, it gets caught, we will have employees on there. It will be maintained very nicely.

- And we also have about 60 ton of material sitting down there. Now, Mr. Bigelow, what his theories claims that's only worth \$500. Well right now, that I think my biggest competitor in town would take 60 ton material and offer 100\$ a ton. And the low end would be \$6,000. So, that's another exaggeration that somebody is making about my property. If Mr. Bigelow at the end of the day wants to call me and buy my property, the offer's there. But I have not once in the last three to five years, received a call from Mr. Bigelow, offering to purchase that 'cause he's so worried about the gateway into Green Bay. If I didn't worry about it, I would have not met Green Bay standards like they asked. We put the fence up, we put the green up. I am now going to take some concrete down that was asked by Mr. Buck to take down, I will do that. All we asked for today was recommendations. We didn't ask for fingers being pointed at us. We understand that scrapyards aren't the most beautiful thing in the world, but the way we have it set up now is okay, is very nice. If we do sell the property for a lease, I've got no problem with that if somebody wants to lease the property up there, that's why we were on this today for recommendations. That's what we were looking for. But I'm not, again, I don't agree with what Mr. Bigelow said when he's got vehicles right next to him roaring their engines all the time. And that's louder than my most four tier engine that I have in one of my excavators, that's a lot quieter than the vehicles that are next door to me on the East side, so.

- Yeah, if we move the fence to where you want it, that's fine, but you do all of that, the contour that land goes down. So, if we put the trees on the top contour where you would want 'em, so you would not see the scrapyard or the receiving yard, you're not gonna have a lot the land up there. It just gonna be like a park. I'm assuming we're not gonna be able to lease that out to a commercial, because I'm sure you need to go so many feet off the center line of the road. And then when the trees grow, they're gonna wind that out. There's not a lot of space up there if you do walk that area. So, moving our fence to that really make a lot of sense? I guess we can all talk about what we can do closer to Velp or what we can't do. We'll stay to the Northern side, but if we move the fence, which is gonna cost us quite a few dollars, I can understand if it's a flat piece of land, but this is a contoured piece of land going down. It goes here and it goes down. We put the trees on top, there is

no room to put anything on that top piece. So, why should we have to move that fence? We will move the fence, but yes, okay, now you have an acre, you got an acre, and you got how many feet up here? And then you got how many feet down here? How does that work?

- If it's real and it's recommended to move it, we're not against it, we just don't know how the, 'cause the idea is that if we moved the fence, and someone's interested in leasing that property above, we have no problem with that. As long as it meets your criteria. For a small business up there. But we went out and put \$36,000 fence up so we don't have these problems and there is nothing snowing and blowing. We got \$15,000 into an environmentalist, which is Stantec, which I think you see is on our stuff. I have an attorney working on this to make sure we don't have any problems here with this. I'm almost sure of it, but I hate to say it. But I think I'm following every rule and regulation I can. But when someone makes accusations that are not true, I don't like that being pointed at me. And I'm not gonna get mad about it. He's got his way of doing things, but I'm here to show you what reality is, and go out there and look at it. That's all I have on my end.

- Thank you very much for listening.

- Thank you.

- Thank you. Were there any commissioners that had questions for the petitioner?

- Yes, I would like to ask if we could see the series of recommendations the staff has made, and I'd like to know if the petitioners are agreeable to each one of those points. If we put it up on the board, this'll be remind you of what they are if you'd be so kind.

- In the speak notes said?

- Yes, please, thank you very much.

- Okay, yup, I just wanna make sure. As far as we look at on the salvage operations along Velp, which is the 130 foot along the Western property, we would have to move our current fence 10 feet to make it, 'cause right now, it's at 120 feet. Is that a big issue to us? No, it's not a big issue to us. I think my brother's point was that it's a slope there. How could anybody put anything down there? But moving that fence 10 feet, that is not a big, big problem with us. I do realize that we have to, I believe move, on the Winford side, we have to move the fence about 80 feet.

- 80 feet.

- That is not a big issue. If that is what's necessary to get these permit and to get the property leased on top or sell the property on top with somebody, we have no issue with that. As far as number B said, it says the area prohibited pavement curb cutouts, I believe, yes, that should be taken care of. We were just waiting to go through this, and I would ask your, one of your representatives to be out there, and show me which ones. But I foresee no problem with that. And vegetation.

- I guess, what is the vegetation that you mean, is that? I guess we've gotta get a little better understanding. I don't mind putting vegetation down, but are you talking about, you have your curb and you have another five from the grass, and you have trees planted in between the curb, and while we'll be ourself about property line, is that what you're talking about? 'Cause it's all blacktop up there and gravel. You want us to take the blacktop and the gravel out, and just put grass? Does that make sense if we're gonna put this up for lease? You want us to put the evergreen trees in on the top end? I guess we'll do it, but I guess we got a little bit of idea of what you're looking for. We don't wanna just waste money.

- Clarification.

- Of course, of course, but that is something that you would be willing to undertake with direction from the city.

- Oh yes, in a previous discussion that I had with David Buck, yeah. So, again, we need somebody out there to show us. We can look at maps all day long, but he has to understand. Yes, that is something that we can undertake.

- And the staff is very good at working with people on such things.

- That's all I'm asking for.

- And on removing the unused curb cuts along Winford and replacing them with appropriate curbing?

- That's fine.

- Yes, that's fine. I don't know how many are there for sure. I do believe what Mr. Buck said there was four or six and there can only be one or two, but that's no big deal. If it has to get fixed up, it has to get fixed up. We understand that.

- And then the final one, including a landscape buffer along the South side.

- Yeah, I guess as long as you guys are more, give us more clarification on that. We've just got the screening fencing up now, which I know you guys are aware of and ladies are aware of, but when that's, 'cause that property starts even with Velp, and then goes down in that slope. Are you recommending for us to put trees right by our fence or are you recommending to put trees up on top of the slope? I think that's what my brother was trying to get at, because if we put trees up on top of the slope, you're not gonna be having a lot of room for somebody to build. So I just again, I don't wanna put trees there, and all of a sudden, let's just say that you retire from Commission, and you want to go put a shoe store there, and I gotta rip those trees out and move them down. So, I guess I wanna do it once. Doing down below, you're still going to get the same effect of what you still see from Velp. I'm thinking the trees would be looking better on top. But I think that just takes that lease, if we wanna lease that property, what do we do then? You just cut it in half.

- Mr. Buck is raising his hand.

- Sure, to clarify, and I know I've talked with the petitioner multiple times, but so we're recommending pulling that fence back to leave basically an acre of usable space. It is heavily sloped. It currently has concrete gravel, and it's sort of that structure with blocks and stuff in it, the condition would be all of that is removed, everything. It goes to basically grass, ground cover, vegetative ground cover. The reason for the planting on the North or the South side of the fence, down that acre to be developable, that's on the South, those trees will grow and act as a second buffer to the fence and actually a better sound buffer. And the petitioners are right. There is a grade change from Velp to where their operations currently are, but that Southern portion of the property, again, there's a grade change, but grades can change. Driveways can be put in that are ramped or on a slope. When a building goes up on that site, that building will then act as the buffer. The building will block the material recovery operations, but before that happens, and we don't know how long that would be, those trees would act as the buffer closer to the fence. So, on the bottom of the slope next to the fence, if that's clear. But I did wanna point out that I believe the demolition permit that has already been received is gonna require all that asphalt and stuff to get pulled out of there anyway. Again, this was a reiteration in the conditional use just to, it kind of all works together, right?

- I have no objection, yeah, as long as it's clarified. So there's no objection to that.

- That's fine.

- Yep.

- Okay, did any other commissioners have questions for the petitioners? Okay, thank you very much, gentlemen. Is there anyone else wishing to speak regarding this issue?

- [Carmen] Hello.

- Hi, if you could please state your name and address for the Commission please.

- [Carmen] I'm Carmen and I live on Winford Avenue.

- Okay, can you please give your full name and address, Ma'am?

- [Carmen] I'm Carmen . I live at 1115 Winford Avenue. Hello?

- Yeah, go ahead with your testimony.

- [Carmen] Oh, okay. Well, I've lived at this property for 23 years, and I just find it very unfair because we just got this, the paperwork last Saturday, and then, the meeting was today, but we, the noise, there is noise. I have a sun porch, I sit out on it for years now. And on that Wednesday, that the Wednesday after the Sunday, the noise was unreal, and going up onto Velp, when you pull up the onto Velp, it is piled high. If you would go out there and look, it is piled high. And I don't know, I'm just disgusted with it. The neighborhoods, the neighbors around here are elderly, I've talked to 'em. None of 'em know how to work the technology of today. If this would have been a meeting at a place, if the COVID wasn't around, I am sure there would have been a lot of people talking, and we were all against it, basically. I think that's all I have to say.

- Thank you, is there anyone else wishing to speak on this item? Okay, I guess I'll entertain a motion to close the floor.

- [Veronica] Motion to close the floor.

- Second.

- Right, motion has second. All in favor.

- Aye.

- [Veronica] Aye.

- [Jake] Aye.

- Aye.

- Aye.

- Any opposed? All right, any discussion?

- Yeah, I have a point. Maybe I was too hasty in agreeing to vote to close the floor, but maybe we should start with just a quick review from staff on what our legal obligations are with a CUP. 'Cause I know they changed not long ago. If I could ask staff to just remind us what our obligations are in either supporting or denying a CUP.

- Certainly. Okay, so a conditional use permit is a use in the zoning that is now considered permitted, but can be mitigated if there's any negative impacts on the community. So, obviously, and I do wanna make clear that the material recovery is permitted without the conditional use. That's really the salvage and scrap. So, if there's gonna be traffic that's generated that the streets can't handle, if it's gonna have a negative impact, in this case, staff has arguing there'd be a negative impact on the Velp corridor, which kinda leads to our conditions for the screening. So, conditions can be added to it, to mitigate any of those issues. If you feel that there's no

conditions whatsoever that would mitigate the issues, you could then recommend denial. But if there are conditions that that petitioners can perform that would mitigate the concerns, again, and I kinda listed those out in the staff report, you can put those conditions on and approve, recommend approval. Obviously, the council is the only one who approves certain device.

- Am I remembering this correctly? That if we feel that there are conditions that would mitigate the problems, we are required to approve under the new legislation?

- If you feel that they can be mitigated, yes, if you can place conditions on it that would mitigate the issues, you're obliged to put on the conditions and approve it or recommend approval. And then, it becomes the petitioner's problem to meet those conditions. So, if they can't meet 'em, that conditional use can be removed, but they are sort of stating that they could. At least that's what I gathered.

- Just to reclarify this, sorry, David, you're saying that they can go ahead with the material recovery part of what they propose regardless because the zoning allows that, but we could deny or mitigate the salvage and scrap part of it.

- Correct, correct, and actually they could, they could receive a conditional use permit, and then never activate it and never do the more of the retail salvage and auto salvage, and continue to use it as a material recovery, that is a permitted use.

- Then my difficulty has to do with my lack of knowledge. I'm concerned about whether or not the material recovery part of things is the part responsible for the noise that neighbors are concerned about, and for the seagulls who clearly are after something edible, rather than something mineral, I don't know whether or not we've got a problem here that we can address.

- Right, I believe the petitioners have been operating just this last month, I think, right? They just started operations currently.

- And those were the operations of material recovery only.

- Correct.

- Scrap or salvage.

- Correct.

- Well, then I think we've got a problem with our zoning. If the zoning that allows material recovery here also allows the kind of noise and seagull interest that the neighbors are concerned with.

- Right, and the city does have a general noise ordinance and a nuisance abatement program. So those, in the regular municipal code, those could be regulated, but yes, the zoning that's on the site does not match the plans. The existing zoning does not match the plans or the intent of the Velp Avenue plan. So again, staff kinda put these conditions on to mitigate any of the potential negatives while still allowing a permitted use.

- And I do appreciate how careful and thoughtful they are. I'm still stuck with the fact that this is supposed to be, and it was not Mr. Bigelow's fantasy, it was a part of a longterm taskforce process, a gateway to the city.

- So, just to put a fine point on what I just heard, my understanding is just in theory, if we were to deny this conditional use permit today, just carte blanche, deny it, everything that's happening now could still lawfully continue, correct?

- Correct, as far as the uses go, like I had said, there's probably some demolition that, even if they didn't get the conditional use, they're still gonna have to remove the stuff off of the front. But yes, operations, as I understand they're operating now, could still continue.

- So, by adopting this conditional use permit, we would actually be able or would be formally creating more restrictions on the property than are currently going on as far as mitigation goes.

- Well, you would be adding conditions because of the heightened use of the property with the auto salvage and the scrap and the retail scrapyard element. So yes, you can add conditions based on that, that you wouldn't apply to the regular material recovery that's currently there. Well, I think that is really required right now is the fencing. And again, they still have to clean up the site and stuff, but yeah.

- So, by adopting the conditional use permit as proposed, we would in essence be able to enforce conditions on the property as a whole that, while it maybe wouldn't change what's going on now directly, it could create some mitigation for the neighborhood overall.

- Yeah, I believe with those mitigation matters, I believe would be the best compromise between the permitted use that's there and the intent of the long range plans.

- The staff obviously has had time to review the environmental study that was performed. And I trust that you wouldn't be recommending approval if it didn't meet the standards required by the city.

- Well, we did not receive an environmental study. I think what attorney Graff was speaking to was that large packet I said that we received today. That was a comment from an interested party. I think that's what he was referring to. There are some floodplains shown on the Northern part of that property. There may be some wetlands underneath the pavement out there, I don't know. The petitioners did show the floodplain on their site plan, and they have the zoning administrator at the city to not store anything in those areas. So, yes, they are complying with existing environmental regulations. But yeah, we did not receive an environmental report, right? Not for this project. They might have submitted it with their demo permit, maybe.

- Okay.

- Madam Chair, if I might speak again. I am concerned about the packet you referred to, I believe the gentleman's name was Mr. Nelson, who had submitted it. And as you mentioned before, David, that you had not had a chance to vet it. There were a fair number of accusations going back and forth among the various parties involved here. And I do not accept without vetting the accusations that this was a...

- Sid, we lost you. You got muted somehow.

- I mute myself there. I'm back. I do think that that packet should be vetted to use the term that you used, David. And frankly, I'm a little bit nervous about going ahead with a decision here until that happens. And so, I am going to move to table this matter, and that is non debatable motion, but it does need a second.

- To postpone, not table.

- Postpone, yes. Until the packet, which is part of the materials received on this matter can be vetted and presented to us.

- [Veronica] I would be, this is Alder Corpus-Dax, I would be willing to second that, that would have been my recommendation. I'm not comfortable approving this as is. I don't believe that the conditions are going to mitigate any issues that the surrounding residents and businesses have with how things are right now. And I think adding that retail portion of it isn't going to necessarily make things better. So, at best, I would like to see this tabled, otherwise I would vote to deny this.

- So, you are seconding my motion to?

- [Veronica] I seconding your motion to table, to hold it.

- Additional material can be considered.

- [Veronica] Not necessarily the additional material to be considered, but I guess like the six foot fence, that's an issue as it is right now, I don't see how a six foot fence in the conditions that are listed is going to help the situation. I feel like more needs to be done here.

- More information needed.

- [Veronica] More information needed, more action taken.

- That clearly was the intent of my motion to table.

- Madam Chair, I'd like the bounce off of that if that's all right.

- Go ahead.

- Kinda the same sentiment, but for a couple different reasons, there's a couple parties here that have not been involved that I would really like to be. Number one, both the Alderman of the district involved, but also I believe it was Alder Steuer who is adjoining, if I had that correct, I'd like Alders, also the Neighborhood Association, there's also been no neighborhood meeting. This is obviously a divisive type of project and situation we need to hear from the people involved. So, I'm a little disappointed that neither the Alders showed up tonight for this. 'Cause I'd like to hear that now versus having to go back and do this again. But there are some voices, we need to be hearing from the neighbors and the representatives of the neighborhood before I think we can do anything with this. So, I will additionally support tabling or whatever the terminology was for.

- So, now I guess I have a concern about this, and I know I'm probably not gonna say this as lovely as Doctor Vonk would have done, but what we're looking at, and please correct me if I'm wrong, David, but what we're looking at overall for the CUP is we're looking at land use. Now, we understand that there are issues with neighbors, but I guess I want clarification, we're looking specifically for the land use, and it's my understanding, and please correct me if I'm wrong, but if a property fits within the conditions of the CUP, isn't that something where, if it's appropriate for the land use, it fits the CUP that we have a legal responsibility to allow that to move forward?

- If you're convinced that the conditions in place will mitigate the additional affects of the conditional use request. So, if you don't believe that those conditions or conditions you can come up with would mitigate the negatives of the requested auto salvage and scrapyard, not the recovery business, you could then deny it. You would not have to approve it. But if you feel the conditions could mitigate that, then it would be a responsibility to put the conditions on, petitioners to agree to them and the operation be approved.

- Okay, and so what we were talking about earlier, too, as far as this is a comprehensive plan, and it had the comprehensive plan, the zoning matched, as soon as the comprehensive plan went through, we wouldn't be in a situation right now because the zoning wouldn't be what it currently is, correct?

- Correct.

- But it would match the comprehensive plan, it wouldn't be the same thing that it's been for however long it's been.

- Right, so when the petitioners would have come to establish the material recovery, they would have had to pull that way back, at least half of the site to match the comp plan if the zoning had been changed.

- Okay, so if we're asking to postpone this, what is that going to do? What does that, as staff, what are you going to do at that point?

- Well, what would we do is probably talk a little bit more with the petitioners about what's been said tonight and the issues be able to look through that large report that was submitted and see what's in there. And if there's any new items in there that might sway our recommendation or our conditions on a recommendation, and then based on the testimony we heard tonight also, potentially get other staff in. So, there was discussion on traffic. So, I'd probably get the traffic engineer to give us an idea of how many trucks are coming and going. And if Winford and Velp can handle that traffic, and be able to report those kinda loose items back to you when you would next meet.

- Okay, all right, so go ahead.

- I'm sorry, I have a really quick, I'm sorry, I just have a really quick question, David. So, in your professional opinion, would you say you need more time to gather details and to come up with another recommendation, or in your professional opinion, would you believe your recommendation will be the same from staff?

- Well, without looking at the large submittal and hearing what I had heard this evening, I don't believe my recommendation would change or the conditions would change, but again, I don't have all the information, so it could very well, they could very well change.

- Okay.

- And again, we have not, there wasn't no neighborhood meetings and again, the Alder person for the district or the adjoining, I have not spoken with them either. So, we've contacted them to let them know what's, the petition is coming forward. But yeah, so I'd probably go ahead and do all that with more time.

- Okay.

- Permission to open on the motion to postpone.

- So, do we have a motion and a second for the motion to postpone?

- I move.

- [Veronica] I second it.

- Alder Corpus-Dax. Okay, any further discussion?

- Can we just make sure that the directive said Dave are clear so we don't have to go back through this again? Like I said, my specific requests were at least comments either whether then the Alders, whether they join us on the meeting next time, or provide a written comment. I know we can't dictate a neighborhood meeting, but it'd be difficult to schedule that by the next meeting, of course, but at least the Alders' comments, especially as I saw, I forget her name, the woman that spoke before about the neighborhood and how a lot of them didn't know how to manage the technology, little bit outreach there, I think would be nice as well to get some comments from them.

- Yeah, for me, from David, I would do just like to have more information on the traffic and environmental impacts.

- And my concern was with the packet that you received too late to be able to go over before this meeting and vetting it, I think is an important point. The origins as well as the substance.

- Anything else that the commissioners would like to add?

- Veronica, I think you mentioned something else before.

- [Veronica] I'm not sure if I did, but I agree with what everyone else has said.

- So, we probably got it pretty much covered.

- [Veronica] I think so.

- Okay, so with a motion to postpone, where are we, how long were you postponing it for? Is that something that we need to set right now as well?

- You should set the date and I would recommend the next meeting, which I believe is, and you correct, me, Paul, is that September?

- 28th.

- [Veronica] 21st, 28th?

- Okay. Okay, so we have a motion and a second, any further discussion? Okay, go ahead with a roll call vote, Vice-Chair Miller?

- Aye.

- And I'm sorry. We are voting to postpone to the next meeting September 28th for this item with further clarification. Alder Corpus-Dax.

- [Veronica] Aye.

- Commissioner Bremer.

- Aye.

- Commissioner Petrouske.

- Aye.

- And commissioner Daniels.

- Aye.

- And I will also vote aye. So, unanimous vote for that item to be postponed until the next Planning Commission meeting. And moving on to the wrong agenda, the Director's Report.

- Hello, the only thing I wanted to bring up was that at the last council meeting, all of our planning items were passed through, that included the first reading for the game day parking ordinances and the temporary use permits. So, that all got all passed. And I think that's all I had for a report. So, I don't know if Paul and Dave, if you had anything you wanted to add to that.

- There's one thing I'd like to add. I guess we are going to be bringing a housing study. I don't know if you wanna mention that, Cheryl, to the redevelopment authority, and we'll probably share as an information item in September, share you that closing study of the city. I don't know, Cheryl, you might want to have better way to explain it.

- So, we hired MSA to do a housing study based on Green Bay. They've done a little bit of the more surrounding area, but mostly Green Bay to kind of talk to us about what our needs are for new construction, where the greatest need is. We just got a copy of it today that we're reviewing. And our goal is to get it to the redevelopment authority next week Tuesday for approval. And then, that will be sent to the Plan Commission as well and to council, so we certainly wanna get this information out to a lot of people so the developers know kind of what the needs are for the area. I think generally speaking, the needs are all encompassing for almost all types of units, but there are some emphasis on particular types of units. So, that will be coming in the future.

- Right, it's pretty important for the Planning Commission to have as you're evaluating rezones, you're evaluated plan and conditional uses for that matter. It's good background to have for the comp plan update, our block grant spending. It should be pretty interesting. So just wanted like--

- Is there any action being taken by redevelopment authority on it?

- I think they'll probably motion to approve that because it was funded through the RDA. So, either way that will go to council, we want that to go to council for review as well.

- Right, but it probably give you a couple slides of highlights for the Planning Commission's benefit.

- I would like to make a request for information too, since we do have a number of people who are relatively new on the Plan Commission. A couple of years ago, we had advice from City Council about the appropriateness of private conversations outside the Plan Commission meeting. And I know I was approached as was at least one other member of the Commission was somebody who wished to talk with us about one of the items on the agenda. And I would like some clarification on that once again, I think it would be helpful.

- Certainly, yeah. Anytime you guys feel you need any type of education or assistance or anything, and a lot of you are new, just shoot that out. You can even just call us individually and we can do it whenever.

- Thank you.

- All right, date of the next meeting Monday, September 28th, 2020. I entertain a motion to adjourn.

- Second.

- [Veronica] Adjourn!

- Motion by Alder Corpus-Dax, second by Commissioner Bremer.

- If we vote in play in favor, click on your leave button.

- Bye bye.

- Good night, all.